



## **Remarks**

The numbered paragraphs of the office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

### ***Specification***

1. The Examiner objected to the specification "as failing to provide clear support for the claim terminology . . . [s]pecifically, the term 'ductile material'." Although the applicant believes that there is sufficient support for the term "ductile material" as a term well understood in the art, the applicant has requested that the term "ductile material" be removed from claim 13. The applicant believes that the removal of this term from the claims is fully responsive to the objection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this objection.

### ***Claim Rejections - 35 USC § 112***

2. The Examiner provided the citation to the first paragraph of 35 USC § 112. The applicant believes that no specific response is required for this paragraph.
3. The Examiner rejected claims 13 and 15-20 under 35 USC § 112, first paragraph in reference to the limitation "ductile material" in claim 13. Although applicant believes that this limitation is not new matter, the applicant has requested that claim 13 be amended to remove the reference to "ductile material." The applicant believes that this requested amendment to claim 13 is fully responsive to the

- rejection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this rejection.
4. The Examiner provided the citation to the second paragraph of 35 USC § 112. The applicant believes that no specific response is required for this paragraph.
  5. The Examiner rejected claims "13 and 15-20 under 35 USC § 112, second paragraph, as being indefinite . . ." Specifically, the Examiner indicted that "the term 'ductile material' in claim 13 is a relative term which renders the claim indefinite." The applicant has requested that claim 13 be amended to remove the term "ductile material". The applicant believes that the requested amendment is fully responsive to the rejection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this rejection.
  6. The Examiner noted that "the claims have been examined as could best be understood by the examiner." The applicant appreciates the Examiner's examination.

***Claim Rejections - 35 U.S.C. § 103***

7. The Examiner provided the citation to 35 U.S.C. § 103(a) which forms the bases for all obviousness rejections set forth in this Office action. The applicant believes that no specific response to this paragraph is required.
8. The Examiner rejected claims 13, and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over Maier et al. in view of Szymaszek et al. The applicant has requested that claim 13, on which claims 15-20 depend, be amended to more clearly point out that applicant's invention includes a band retainer fitted over the plug head band and fixed to the plug stem base as well as to more clearly point

out the relationship between the plug stem base, plug stem base cavity and the plug head band. The applicant believes that neither of the cited references nor any other references describes, disclose or suggest the combination of features of applicant's invention. In light of the requested amendment and these remarks, the applicant respectfully requests reconsideration and withdrawal of this rejection.

### ***Response to Arguments***

9. The Examiner indicated that the applicant's arguments filed previously have been considered but were not found by the Examiner to be persuasive. The applicant appreciates the Examiner's consideration. The applicant respectfully reasserts the facts and remarks in applicant's prior Office action responses. Although, applicant has requested the foregoing amendments be made to the claims, the applicant does not intend by these amendments to waive applicant's position as previously stated. Nevertheless, the applicant does appreciate the Examiner's consideration and position and respectfully requests further consideration of the claims as presently submitted.

### ***Conclusion***

10. The Examiner stated that the applicant's amendment necessitated the new ground(s) of rejection and accordingly that this action is made final. The applicant is filing this response as part of a Request for Continued Examination (RCE) and is submitting this response within the permitted extension period with extension fee and therefore respectfully requests continued examination for this case.

11. The Examiner provided information concerning communication with the Examiner on this case. Applicant appreciates the Examiner's willingness to discuss this case and believes that no specific response is required for this paragraph.

The applicant believes that each point of the Office action has been addressed and that this response is fully responsive to the Office action. The applicant has requested that claim 13 be amended as previously described. The applicant believes that this response places the amended claim and all those claims which depend on the amended claim in a condition for allowance.

In view of the foregoing, and in summary, Applicant believes that all issues and points of the Examiner's Office Action have been addressed and that all remaining claims, claims 13 and 15-20 are patentable over the prior art. Reconsideration and allowance of the application is respectfully requested.

Respectfully submitted this 26<sup>th</sup> day of November, 2002.



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